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Reconsideration and further examination of the application, as amended, are respectfully requested.

Claims 1-11 are pending in the application. Claims 9 and 11 were rejected under 35 U.S.C. §102(e) as anticipated by U.S. Patent No. 6,243,756 to Whitmire et al. ("Whitmire"). Claims 1-8 were rejected under 35 U.S.C. §103(a) as being obvious over Whitmire. Claim 10 was rejected under 35 U.S.C. §103(a) as being obvious over Whitmire in view of U.S. Patent No. 6,092,214 to Quoc et al. ("Quoc").

Claim 7 has been amended to provide a proper antecedent basis for "said port activity-related data." No new matter is being introduced.

With regards to independent claim 1, the art of record fails to disclose (i) a separate and remote entity that receives port activity-related data from a plurality of switches and converts that data into network management-related information, and (ii) a multiplexer separate and remote from the plurality of network switches.

First, the Office action equates the applicants' claimed "separate and remote entity" with Whitmire's management platform 116. See Office action at page 3. This is improper because Whitmire's management platform 116 does not convert received port activity-related information into network management-related information, as positively recited in claim 1. Rather, Whitmire's management platform 116 accesses network management-related information already stored in one or more MIB objects in the managing repeater 102. See Whitmire at Col. 8, lines 23-40. Indeed, Whitmire's management platform 116 may directly "browse" the MIB objects or

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may issue SNMP requests to a management agent 1302 that retrieves the network management-related information from the MIB objects. See Whitmire at Col. 8, lines 23-40. Accordingly, Whitmire's management platform 116 directly accesses network management-related information, and thus fails to convert port activity-related data into network management-related information as recited in claim 1.

Second, the Office action equates Whitmire's managing repeater 102 with the "separate and remote" multiplexer recited in claim 1. See Office action at page 3. This too is improper. As disclosed throughout Whitmire, the managing repeater 102 is one of the repeaters within Whitmire's managed stack configuration. See, for example, Whitmire at Col. 6, line 38-40. The Office action continues to ignore and fails to address this obvious distinction. Even if the managing repeater 102 were somehow connected to the remaining repeaters 104-110 using a "longer connection medium or an extension medium" as suggested in the Office action, the repeater 102 still functions as a switch in Whitmire's stack configuration. That is, physically isolating the repeater 102 using longer cabling does not obviate the fact that it is (and always will be) one of the switches in Whitmire's stack configuration. Therefore, the repeater 102 cannot be "separate and remote" from the stack configuration, like the multiplexer recited in applicants' claim 1.

With regards to independent claim 9, the art of record fails to disclose a remote monitoring probe that receives switch activity-related information from a plurality of switches and converts that data into network management-related information. On page 2, the Office action again equates applicants' claimed monitoring probe with Whitmire's management platform 116. As noted above, Whitmire's management platform 116 accesses network management-related information directly from MIB objects in the managing repeater 102, e.g., either as a MIB

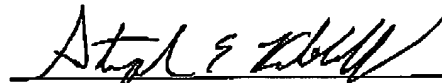
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browser or SNMP client. Therefore, Whitmire's management platform 116 does not convert switch activity-related information into network management-related information, as recited in claim 9.

Applicants respectfully submit that the application, as amended, is in condition for allowance and early favorable action is requested.

Please charge any additional fee occasioned by this paper to our Deposit Account No. 03-1237.

Respectfully submitted,

  
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